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HEADLINE: The Man Who Would Kill the JFK Conspiracy Theory

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BODY:

As with anyone who threatens to shut down an entire industry, Gerald Posner is getting heat. He's denounced on talk shows as an idiot, a fool, crazy, a simpleton. He's called a liar, a dupe and the tool of dark and sinister interests.

All this because Posner, 39, has taken a jackhammer to the belief that is the rock of all conspiracy buffs. He is the author of "Case Closed" (Random House; \$ 25), which says Lee Harvey Oswald assassinated John F. Kennedy. Period.

No plot by Fidel Castro or the Kremlin. No Mafia revenge killing. No military-industrial complex rubout, as Oliver Stone had it in his movie "JFK," which its critics called a farrago of falsehoods. No coverup by the FBI, no CIA involvement. Lyndon Johnson's hands were clean.

In short, no conspiracy. No government agents (one of them E. Howard Hunt of later Watergate fame) dressed up as tramps in Dailey Plaza that 1963 day in Dallas. Foul-ups, yes. Conspiracy, no.

Face it folks, Posner is saying as he hopscotches across the country with his best-selling thesis: The leader of the Free World, that golden prince of Camelot, was slain in Dallas in 1963 by a twisted and sad little weenie who fired three shots at JFK from a \$ 12.58 rifle, scoring two bull's-eyes.

It's not possible, people still say 30 years later. Kennedy was the president, for God's sake! Oswald -- that mama's boy, that loser they laughed at in the Marine Corps for his girlish manner, that half-baked Marxist poseur, that nobody.

There had to be more to it, hence the growth of the industry. So far, more than 2,000 publications have rehashed the assassination and advancing theories -- many of them dopey or crazy -- about what really happened. No end in sight, either. The National Archives released 800,000 more documents on it earlier this month.

"It's like challenging religious belief," Posner says, shaking his head. "It's like abortion. There can be no reasonable discussion."

Posner, a second generation San Franciscan who went to the University of California at Berkeley and Hastings law school, is a former Wall Street litigator who gave up the law when he got hooked on writing nonfiction. His first book in 1986 was about Josef Mengele, the Nazi fiend whose medical experiments on Jews in World War II earned him the name "Angel of Death."

A small, precise man with a neat mustache and a direct manner, Posner was unimimidated by the wealth of data, starting with the volumes of the Warren Commission, about the assassination and the later murder of Oswald by nightclub owner Jack Ruby in the basement of the Dallas police department.

"I'm blessed or cursed with an analytical mind. When I graduated from Hastings in 1978, I went to work for Cravath, Swaine and Moore in New York. One of their cases at the time was the government's lawsuit against IBM. There were a million pages of paper and hundreds of thousands of exhibits. Some people might tend to get dissuaded from tons of paperwork, but I don't have a fear of it."

Posner doesn't turn up much in the way of new evidence. He just takes a clear look at what there is and reasons from it in a commonsense way. As an example, some conspiracy buffs wonder why the Secret Service agent who was driving slowed the convertible when he heard the gunfire? To set up Kennedy for the third bullet and coup de grace? But Posner asks, isn't it more reasonable to assume the agent turned around to see what those popping sounds were and what was happening to his passengers? Nothing could be more natural, says Posner.

What about the message to all FBI field offices, warning there might be an assassination attempt on November 22, that a clerk, William Walter, claimed to have seen and told his wife about? According to Posner, the wife denied he told her anything of the sort and said Walter had a weakness for telling whoppers. "If it were true, all 50 FBI offices would have to be part of the coverup." Possible? Yes. Probable?

Why did the Dallas police wait until 1989 to release the arrest records of the three tramps (none of whom was Hunt, as it happened) picked up in Dailey Plaza, and why did it take until last year before they were made public? Posner answers that the cops didn't think it was important ("Not everybody is dominated by conspiracy theory and, anyhow, government is inefficient"), and nobody bothered to look in the files until a couple of newspaper reporters got around to it. Two of the tramps still survive, one of whom got \$ 25,000 to appear on "Hard Copy."

FBI agents destroyed a note Oswald delivered to the Dallas office. Was this — as Stone put forth in "JFK" — because Oswald knew Kennedy was being set up for killing and was warning his "handler"? In which case, how did it happen that he ended up firing the weapon and killing a policeman before being led smirking out of the movie theater where he was captured?

The real explanation, said Posner, was that the note was Oswald's threat to take the matter to higher authority if agents kept bothering his wife. They got rid of it because they feared the wrath of J. Edgar Hoover. "It wasn't a coverup. They were just covering their asses."

Why didn't the Dallas police tape their interviews with Oswald, and why was their interrogation so leisurely? "They didn't own a tape recorder and they thought they'd have weeks to question him." Jack Ruby upset that apple cart when he plugged Oswald.

"It was the greatest disservice to history I can think of," said Posner.
"Nobody would be talking conspiracy if he'd stood trial."

So it goes, one half-baked theory after another bites the dust as Posner shines a bright light in the murk, showing them, as former New York Times columnist Tom Wicker wrote, "in some cases to be impossible, in others mistaken, in many dishonest, in all wishful."

"Because of Vietnam, Watergate, Iran-Contra," said Posner, "people don't believe government tells the truth, and they project this back in time to the Kennedy assassination. If it's true now, they believe, it was true then."

GRAPHIC: PHOTO, Gerald Posner was in San Francisco to promote his book 'Case Closed,' which debunks conspiracy theories about JFK's death, BY DEANNE FITZMAURICE, THE CHRONICLE

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